

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 11, 2006

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").
- II. **SUBJECT:** Administrative and Consent Orders issued during the period February 1 – March 31, 2006
- III. **FACTS:** For the period February 1, 2006 through March 31, 2006 EQC issued forty-nine (49) Consent Orders with total assessed civil penalties in the amount of \$360,330.00. Four (4) Administrative Orders were entered into during the reporting period with total assessed civil penalties in the amount of \$17,752.00.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
Hazardous Waste	0	\$ 0	0	\$ 0
Solid Waste	0	0	1	500.00
UST Program	3	10,252.00	1	0
SUBTOTAL	3	10,252.00	2	\$ 500.00
Water				
Drinking Water	1	\$ 7,500.00	8	\$ 9,425.00
Water Pollution	0	\$ 0	29	164,405.00
SUBTOTAL	1	\$ 7,500.00	37	\$ 173,830.00
Air Quality				
SUBTOTAL	0	\$ 0	10	\$ 186,000.00
TOTAL	4	\$ 17,752.00	49	\$ 360,330.00

ANALYSIS: During the report period, two (2) Consent Orders were issued under the Strategic Enforcement Pilot Project. Solid Waste Enforcement entered into a Consent Order with Respondent, William Howard, owner of William Howard Land-Clearing Debris Landfill located in Inman, SC. The Respondent failed to submit the 2005 annual report on time. This Order was issued as a direct order and was assessed a civil penalty in the amount of five hundred dollars (\$500.00). The Respondent has submitted the annual report and paid the penalty in full. Bureau of Air Quality Enforcement along with Region 5 entered into a

Consent Order with Respondent, Elijah Blocker, Sr., for opening burning violations. A civil penalty in the amount of two hundred fifty dollars (\$250.00) was suspended pending removal and clean up of all solid waste associated with the open burning.

Drinking Water Enforcement issued an Administrative Order against River Pines Water System, Inc. (Respondent), which was not appealed and. The Respondent is responsible for the proper operation and maintenance of a Public Water System (PWS). The Order was issued for failure to perform the necessary monitoring and failure to issued a public notice for the non-monitoring. The Respondent also failed to pay Safe Drinking Water Fees for the 2005 fiscal year in the amount of two thousand one hundred ninety-one dollars and seventy-five cents (\$2,191.75). This project is in the process of being referred to the Office of General Counsel. York County is currently applying for funding to connect River Pines to county water. A civil penalty in the amount of seven thousand five hundred dollars (\$7,500.00) was assessed.

Water Pollution Enforcement entered into a Consent Order with Respondent, Oak Hill Anderson, LLC, for failure to properly install and maintain all storm water control devices and discharged sediment into the environment. The Site plans from the original engineer did not properly reflect the needs of the Site and permits were not applied for in a timely manner. The Department issued a Cease and Desist Order and the Respondent opted to change engineers at that time. The Respondent must submit a report signed by a S.C. Registered Professional Engineer certifying all storm water, sediment and erosion control measures have been properly installed and are properly functioning. A civil penalty in the amount of eight thousand four hundred dollars (\$8,400.00) was also assessed.

Bureau of Air Quality Enforcement entered into a Consent Order with Elliot Sawmilling Company, Inc. (Respondent), which produces rough and dressed yellow-pine lumber. The Respondent failed to submit a construction permit application, and to obtain the required Department-issued permits prior to making modifications that resulted in an increase of VOC emissions that exceeded its permitted production limit on one kiln. The Respondent must comply with a monthly throughput production limit and obtain required Department-issued permits prior to making any modifications that could result in a significant increase of any pollutant subject to the Federal Clean Air Act. A civil penalty was assessed in the amount of ninety-four thousand dollars (\$94,000.00). The Respondent is in the process of obtaining a Prevention of Significant Deterioration (PSD) operating permit to raise the kiln's production limit to its maximum capacity.

Of the forty-nine (49) Consent Orders issued by EQC enforcement programs during the reporting period, forty-eight (48) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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